

# City of Hampton, VA

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)



## Council Agenda

Wednesday, December 14, 2005

7:30 PM

Council Chambers, 8th Floor, City Hall

## City Council

*Randall A. Gilliland, Angela Lee Leary, Charles N. Sapp,  
Joseph H. Spencer, II, Turner M. Spencer, Rhet Tignor,  
Ross A. Kearney, II, Mayor*

### *Staff:*

*Jesse T. Wallace Jr., City Manager*

*A. Paul Burton, City Attorney*

*Katherine K. Glass, Clerk of Council*

*Brenda J. Vaccarelli, Deputy Clerk*

## **WELCOME TO THE HAMPTON CITY COUNCIL MEETING**

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

### **THE ORDER OF BUSINESS**

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Audiences Granted to the General Public
- (6) Miscellaneous New Business
- (7) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

### **CITIZENS ARE INVITED TO PARTICIPATE**

The City Council has adopted a five (5) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

## CALL TO ORDER/ROLL CALL

## INVOCATION - Randy Gilliland

## PLEDGE OF ALLEGIANCE TO FLAG

## MAYOR'S COMMENTS

## CONSENT AGENDA

### Consent Items - Second Reading

1. **05-0676** an Ordinance to Impose a Tax on Commercial Properties within the Downtown Hampton Business Improvement District
2. **05-0686** Ordinance to enact the City of Hampton Enterprise Zone Incentives Program.
3. **05-0696** An ordinance to impose a tax on commercial properties within the Coliseum Central Business Improvement District

### Consent Items - First Reading

4. **05-0745** Hampton History Museum - Collection Storage Area

### Consent Items - Other

5. **05-0709** Fatality Reduction/Speed Enforcement/Occupant Protection Project (FY2006)
6. **05-0711** Cox Communications Hampton Roads, LLC 2005 Rate Review of Regulated Services and Equipment
7. **05-0713** Resolution to require the Towing Advisory Board to meet at least annually.
8. **05-0721** Donation of a 1960 Marshall, 15' inflatable boat to the Smithfield, Virginia Volunteer Fire Department.
9. **05-0722** 2005 Fire Programs Fund Allocation
10. **05-0723** Donation of a 1981 Ford E1 Engine to the Lower Currituck Volunteer Fire Department, Currituck County, North Carolina
11. **05-0718** Resolution authorizing the execution of an Agreement of Sale for the purchase of 1213 Kecoughtan Road from Investment planning Associates, Inc.
12. **05-0727** Resolution authorizing the execution of an agreement of sale for the purchase of 211 Point Comfort Avenue from Marshall W. Evers.

13. **05-0728** Resolution authorizing the execution of an agreement of sale for the purchase of 2605 E. Pembroke Avenue from Willard Jones Ingram, Jr. and Meriwether D. Ingram.
14. **05-0729** Resolution authorizing the execution of an agreement of sale for the purchase of 732 North Back River Road from Pamela Hill.
15. **05-0735** Proposed acquisition of property, known as 23 Freeman Drive, from Lewis R. and Joyce A. Everett.
16. **05-0750** Proposed acquisition of property, known as 25 Freeman Drive, from Mark A. Johnson.
17. **05-0737** 152+/- square foot fee right-of-way acquisition from Willow Oaks Associates, LLC., on property located at 223 Fox Hill Road.
18. **05-0744** Right of Way Agreement between Virginia Electric and Power Company and the City of Hampton
19. **05-0740** Resolution authorizing agreement with Iris Tech Inc. to provide a digitized video recorder/editor for the city channel TV 47.
20. **05-0746** Additional Closed Circuit TV Cameras VDOT Project No. U000-114-151 (UPC 73234) Engineering Services Project No. 05-008
21. **05-0747** VDOT Revenue Sharing Projects and Saunders Road Improvements
22. **05-0748** Cmdr. Shepard Boulevard Extension
23. **05-0749** Hampton Roads Convention Center – Post-Construction Architectural Consulting Services
24. **05-0733** Approval of minutes from public presentation on the Buckroe Master Plan on October 11, 2005; from City Council's afternoon session of November 9, 2005; and from City Council's evening session of November 9, 2005.

## **PRESENTATIONS, PROCLAMATIONS, AWARDS**

25. **05-0724** Announcements and presentations to winners of the 2005 Holly Days Parade contest.

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**REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES**

26. **05-0734** Delegate Gear to address Council concerning Fort Monroe.
27. **05-0730** discuss and consider creation of 501(c)(3) organization for certain fundraising activities honoring military service and Hampton-related military history.
28. **05-0751** Resolution authorizing the execution of a Memorandum of Understanding ("MOU"), Development Agreement, and Ground Lease for the land purchase and development of the Buckroe Fishing Pier and Restaurant Project and the extension of Resort Boulevard, and reallocating \$2 million originally appropriated for the reconstruction of the fishing pier to the land purchase for the Project and the extension of Resort Boulevard.

**PUBLIC HEARINGS****Rezoning - Second Reading**

29. **05-0669** Rezoning Application No.1208 by Charles A. Huffman, III to rezone two parcels totaling 1.17+/- acres from One Family Residence (R-13) District to Multiple Dwelling Townhouse (MD-T) District to develop up to nine (9) fee simple townhouses.
30. **05-0672** Rezoning Application No.1218-A by the City of Hampton to rezone approximately 0.1+/-+ acres at 731 Pennsylvania Avenue from General Commercial District (C-3) to One-Family Residential District (R-9) to permit the use and construction of single family homes.
31. **05-0646** Rezoning Application No.1209 by Tysinger Real Estate to rezone 5.5+/- acres at the northeast intersection of Hampton Roads Center Parkway and Magruder Boulevard from One Family Residence District (R-11) to Limited Commercial District (C-2) to allow the expansion of a new car dealership.
32. **05-0670** Rezoning Application No.1212 by Ocean Properties to rezone 1.466+/- acres at 23 Water Street from Limited Commercial District (C-2) and One Family Residence District (R-13) to solely Limited Commercial District (C-2) for the purpose of constructing a mixed use structure, having multi-family dwelling units and a commercial restaurant.

33. **05-0694** Rezoning Application No. 1216 by Advantis/GVA and the Hampton Industrial Development Authority to rezone approximately 6.2+/- acres of property located at 2501 58th Street from Heavy Manufacturing District (M-3) to General Commercial District (C-3) for a gas station and flexible commercial space.

### **Rezoning - First Readings**

34. **05-0725** Rezoning Application No. 1218-B by the City of Hampton to rezone approximately 3.54 +/- acres from General Commercial District (C-3) to One-Family Residential District (R-9) to permit the use and construction of single family homes.

### **Use Permit**

35. **05-0726** Use Permit Application No. 1004 by the City of Hampton to build a commercial fishing pier and restaurant in Buckroe on Resort Boulevard.

## **GENERAL ITEMS**

### **Ordinances**

36. **05-0712** An ordinance providing for the exoneration of certain taxes assessed against Monroe Apartment Corporation located at Fort Monroe for the fiscal tax year 2005/2006.
37. **05-0716** An ordinance to repeal Article V, Section 21-137 of Chapter 21 of the Code of the City of Hampton, Virginia pertaining to motor vehicles and traffic

### **Resolutions**

38. **05-0738** Sentara CarePlex Hospital Resolution

### **Appointments**

39. **05-0710** consider appointments to the Towing Advisory Board.

### **Other Items**

40. **05-0708** Appeal of Denial of Taxi Driver Permit by Michael R. Lee

## **AUDIENCES GRANTED TO THE GENERAL PUBLIC**

## **MISCELLANEOUS NEW BUSINESS**

## **ADJOURNMENT**

### **Contact Info:**

**Clerk of Council, 757-727-6315, [council@hampton.gov](mailto:council@hampton.gov)**